



August 30, 2006

Subject: The Land Development Ordinance Committee

The Land Development Ordinance Committee (LDOC) met Wednesday, August 30, 2006, at 4 p.m., in The Plaza Seminar Room located at 100 West Innes Street, to discuss rewriting Salisbury's ordinance code. In attendance were: Jake Alexander, Karen Alexander, Bill Burgin (Co-chair), George Busby, John Casey, Steve Fisher, Mark Lewis (Co-chair), Brian Miller, Rodney Queen, Vic Wallace, and Diane Young.

Staff Present – Dan Mikkelson, Preston Mitchell, Diana Moghrabi, Joe Morris, David Phillips, Lynn Raker, Patrick Ritchie, John Vest

Public – Anne Lyles

The meeting was called to order with Bill Burgin, Co-chair, presiding. The minutes of the August 23, 2006, meeting were accepted as published.

Bill Burgin welcomed the committee and guests. Materials were distributed to members; members received copies of chapters 1-8 with new formatting. Changes have been incorporated in the new copies that include two text changes in Chapter 2–page 2-12 (RR) and page 2-44 (Section on CD).

Preston Mitchell offered a Power Point presentation for discussion which included an appendix for standardized applications. Brian Miller suggested a title more “user friendly” be chosen to replace “Sufficiency Checklist.”

Standardized Applications

- Building Type Applications
 - ▶ House
 - ▶ Apartment
 - ▶ Mixed-Use
- Site Plan Applications
 - ▶ Major and Minor
- Subdivision Applications
 - ▶ Exception, Minor and Major (Preliminary Plat)

Appendix

Sufficiency Checklist

- Number of copies of each type plan
 - ▶ Master
 - ▶ Landscape / Tree
 - ▶ Environmental / Floodplain
- Zoning questions / check-off
- Fire questions / check-off
- Utility questions / check-off
- DOT questions / check-off

Infill Standards – Sec. 4.3 (pg. 4-2) *This section will be discussed at a later meeting.*

- Applicability
- Use Compatibility
- Area, Width, Setback, & Density Compatibility
- Access Compatibility

CHAPTER SUMMARIES

To simplify the new chapters, staff reviewed the changes by way of a brief summary. This summary compared the new chapters to the old. Chapter 3 was pretty much cut and paste from the existing code. Extra conditions are often associated with this chapter. Adult establishments, bars, clubs, animal services, campgrounds, day care facilities, etc. will all be allowed by Special Use Permit.

Steve Fisher had concerns over the drive thru services section on page 3-7. There was a discussion on why the drive thru would be required in the rear of a business; this and landscaping could be a security issue for banks where a side drive thru is more commonplace. Mark Lewis suggested that *Drive Thru Service* might suggest an auto lube or “Frosty Keg” business. The definition of drive thru and drive thru services needs clarification.

You will now be able to build a new secondary dwelling unit (“granny flat”) with a minimum of 300 square feet and a maximum building footprint of 750 square feet. This maximum footprint led to discussion. This maximum figure may need to change in the future.

There will be no outside storage of rental equipment in DMX. Victor Wallace is interested in the section on gas stations. Live Work Units is new (Q) and the committee will come back to it. The committee was not comfortable with International Residential Code; they would prefer NC state code. It was said that the Home Occupation section was well written and it is necessary to protect the NMX.

Victor Wallace spoke about additional standards not listed. Religious institutions can severely impact neighborhoods with their large and ever-growing programs. Preston said that this issue has recently been in discussion on the planning list serve. Civic and secular groups must be held to the same standards. Mr. Wallace also believes that the private sector is being held to enormous standards and there needs to be consistency and the same standards for all. This especially applies to the utility requirements. Comments were made regarding the need for Duke Energy to hold to the landscaping requirements when tree pruning.

Patrick Ritchie covered Chapter 4. Section 4.3 will be covered at the next meeting. Section 4.4 (B) "Accessory Buildings shall not cover more than 40 percent of the required side and rear yards." Section 4.5 (b) spells out more. (Add: to be renewed when construction underway—one-year temporary building not enough.) Steve Fisher questioned landscaping requirements on a temporary building used by his bank during construction. This would be a waste of plantings.

Chapter 5 began with Rodney Queen expressing his concerns about being able to build what the market demands. In response to his concerns, staff requested that he and other builders explain what specifically is in the new code that would not allow builders to build a Woodfield or a Hidden Creek. Victor Wallace asked the committee to take their time and not rush through this section. Jake Alexander had concerns with Section 5.4 (A)

Preston had prepared a slide for Section 5-11, Applicability of House by Design. There are points that the committee wishes to discuss about this table.

Does zone affect the standard?

The next LDOC full-committee meeting will be Wednesday, September 13, 2006, at 4 p.m. in the Council Chamber located at 217 South Main Street.

The meeting was adjourned at 6:08 p.m.

dm